

From: Xaiviar of the family Brown,
Address (Grantor/Trustee to Devon Living Trust)
[9648 Olive Blv.#466
Olivette ,Mo.63132]

September 15, 2021

RECEIVED

SEP 15 2021

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

4:21CR 259 RLW/SRW
6

To:Office Of the Clerk Of Court
UNITED STATES DISTRIC COURT
EASTERN DISTRIC OF MISSOURI
111 South 10th. St.
Saint Louis Mo.63102

Re: Notice of Mistake and Correction for the trade name XAIVIAR BROWN AND/OR XAVIER BROWN under Indictment No. 4:21 CR 259 RLW/SRW ; and Case and Bond No. 4:21 CR 259 RLW/SRW.

I, Xaiviar of the family Brown, hereby sends this Notice of Mistake and Correction to all parties attached to Indictment No. 4:21 CR 259 RLW/; and Case and Bond No. 4:21 CR 259 RLW/SRW. Office Of Clerk Of The Court ,UNITED STATES DISTRIC COURT,EASTERN DISTRIC OF MISSOURI is to record this notice for the record, as follows:

NOTICE OF MISTAKE AND CORRECTION

1. TAKE NOTICE THAT: In the matter of SURETY for the XAIVIAR BROWN AND/OR XAVIER BROWN trade name and trust, I believe that there has been a MISTAKE, as the SOLE BENEFICIARY OF A PUBLIC DOCUMENT has been INCORRECTLY IDENTIFIED as an "accused" and/or a "suspect".
2. FORGIVE ME: If I, AND/OR PERSONS AND/OR FRIENDS OF THE COURT AND/OR SUCH OTHER PARTIES ACTING IN MY INTERESTS, have led A COURT and/or STATUTORY BODY and/or A GOVERNMENT SERVICE and/or AGENTS and/or OFFICERS of such bodies, to believe, by responding to "You", and/or "XAIVIAR BROWN AND/OR XAVIER BROWN", and/or SUCH OTHER IDENTIFICATION, such bodies HAVE ADDRESSED ME AS, that I am the PARTY WITH SURETY in this matter, then that would be a MISTAKE, and please forgive me.
3. If I, AND/OR PERSONS AND/OR FRIENDS OF THE COURT AND/OR SUCH OTHER PARTIES ACTING IN MY INTERESTS, have led A COURT and/or STATUTORY BODY and/or A GOVERNMENT SERVICE and/or AGENTS and/or OFFICERS of such bodies, to believe, by responding to "You", and/or "XAIVIAR BROWN AND/OR XAVIER BROWN" and/or SUCH OTHER IDENTIFICATION, such bodies HAVE ADDRESSED ME AS, that I am, in ANY CAPACITY, a *Pro Se* litigant and/or a LEGAL PERSON in this matter, then that would be a MISTAKE, as I DO NOT CONSENT and WAIVE THE BENEFIT to such titles (Waiver of the CHANGE OF NAMES ACT OF FEDERAL RULES), and please forgive me.
4. THEREFORE: As I have no knowledge of who "You" and/or "XAIVIAR BROWN AND/OR XAVIER BROWN" and/or SUCH OTHER IDENTIFICATION ANY COURT and/or

STATUTORY BODY and/or GOVERNMENT SERVICE and/or AGENTS and/or OFFICERS of such bodies [HEREAFTER "YOU"], HAS ADDRESSED ME AS, I RESPECTFULLY ASK; by WHAT AUTHORITY ARE "YOU" ADDRESSING me as such?

5. As the SURETY BOND (BIRTH CERTIFICATE) has been deposited into the COURT, WHAT EVIDENCE does the COURT have that I, as a MAN who is not lawfully entitled to the BENEFITS of a BIRTH CERTIFICATE, have any SURETY in this matter?

6. As GOVERNMENT is the SOLE SIGNATORY PARTY on the SURETY BOND (BIRTH CERTIFICATE), with SOLE AND FULL SURETY as TRUSTEE for the LEGAL NAME, WHAT EVIDENCE do YOU have that I am a TRUSTEE for the LEGAL NAME. WHAT EVIDENCE do YOU have that I am a TRUSTEE and have ANY SURETY with respect to ANY NAME? I am indeed the trustee for the Living Grantor Trust that now hold the trade name as an estate item.

7. WHAT EVIDENCE do YOU have, that I am an OFFICER, an AGENT, a TRUSTEE and/or an EMPLOYEE of the CROWN? WHAT EVIDENCE do "YOU" have of any WARRANT OF AGENCY for the principal?

8. WHAT EVIDENCE do "YOU" have that there has been any meeting of the minds, any PROPER NOTICE given, any considerable CONSIDERATION offered, or that I have ANY INTENT to CONTRACT in this matter?

As such, I am returning your OFFER, DECLINED, for immediate DISCHARGE and CLOSURE.

The use of such instruments (body attachment, bench warrants, arrests, Including garnishment of wages etc.), presumably is a method to "streamline" arresting people and circumventing the Fourth Amendment to the United States Constitution, and is used as a debt-collecting tool using unlawful arrests and imprisonment to collect a debt or perceived debt... "by definition, probable cause to arrest can only exist in relation to criminal conduct; civil disputes cannot give rise to probable cause"; *Paff v. Kaltenbach*, 204 F.3d 425, 435 (3rd Cir. 2000), (Fourth Amendment prohibits law enforcement officers from arresting citizens without probable cause. See, *Illinois v. Gates*, 462 U.S. 213 (1983), therefore, no body attachment, bench warrant or arrest order may be issued.

If a person is arrested on less than probable cause, the United States Supreme Court has long recognized that the aggrieved party has a cause of action under 42 U.S.C. §1983 for violation of Fourth Amendment rights. *Pierson v. Ray*, 386 U.S. 547, 87 S.Ct. 1213 (1967). *Harlow v. Fitzgerald*, 457 U.S. 800, 818 (there can be no objective reasonableness where officials violate clearly established constitutional rights such as--(a) United States Constitution, Fourth Amendment (including Warrants Clause), Fifth Amendment (Due Process and Equal Protection), Ninth Amendment (Rights to Privacy and Liberty), Fourteenth Amendment (Due Process and Equal Protection).

NOTICE OF DEMAND OF OATH OF OFFICE and STATEMENT OF JURISDICTION

PUBLIC NOTICE FOR:

STEPHEN R. WELBY

d/b/a: Judge – FOR THE UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF MISSOURI Clerks, sundry employees, officers, agents, et al. a/k/a: PUBLIC SERVANTS – Saint Louis, Missouri and Court Clerks, sundry employees, officers, agents, et al.

**NOTICE TO PRINCIPAL IS NOTICE TO AGENT
NOTICE TO AGENT IS NOTICE TO PRINCIPAL**

Point of Law

All contracts commence with an offer and only become binding upon acceptance. See Farnsworth on Contracts ©2004 by E. Allan Farnsworth, Third Edition, Aspen Publisher, ISBN: 0-7355-4605-3 (Vol. 1) 3.3.

The People's Contract a/k/a "The Constitution of the United States of America" or "This Constitution" (Articles 1-6; Bill of Rights 1-10) mandates an oath of office for all officers in public service to wit: "... the judges in every State shall be bound thereby, anything in the Constitution or Laws of a State to the Contrary notwithstanding."

Furthermore, the CONSTITUTION OF THE STATE OF MISSOURI mandates every PERSON elected or appointed subscribe to an oath that he will "support" [1] and "maintain" the Constitution for the United States and the constitution of "this state," (20.1) and purchase a faithful performance bond as a good faith pledge that the Officer will conduct his/her duties per the requirements of both constitutions "before entering upon his duties" in relation to his/her public office as a PUBLIC SERVANT (22.19; NMSA 7-2-2 thru 7-2-7).

BE IT KNOWN to ALL COURT OFFICIALS AND ATTORNEYS et al. that I accept your oath(s) of office d/b/as "Judge" or "other" for the United States provided that you are competent to conduct the duties of office having subscribed to the required oath and posted a faithful performance bond as required by fundamental law.

FURTHERMORE, NOTICES *all custodians of the public trust to release all* custodial holding[s] completely leaving no residue being held by any custodian whatsoever and return all property or interest either tangible, intangible, *ledger* [financial] and real property in this matter as I am the sole surviving heir of my parent's precious and lawful love, and have the only absolute claim of dominion.

Trinsey v Pagliaro, D.C.Pa. 1964, 229 F.Supp. 647.

It's a VIOLATION of the 11th Amendment for a FOREIGN CITIZEN to INVOKE the JUDICIAL POWER of the State.

Article XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

US citizens (FEDERAL CITIZENS) are FOREIGN to the several States and SUBJECTS of the FEDERAL UNITED STATES/STATE of NEW COLUMBIA/DISTRICT OF COLUMBIA.

Attorneys are considered FOREIGN AGENTS under the FOREIGN AGENTS REGISTRATION ACT (FARA) and are SUBJECTS of the BAR ASSOCIATION.

"An attorney for the plaintiff cannot admit evidence into the court. He is either an attorney or a witness". (Trinsey v. Pagliaro D.C.Pa. 1964, 229 F. Supp. 647)

Should the above statements not be true, then let the record be corrected or it will stand as truth.

All rights Reserved,

[1] *Support, n. 5. In general, the maintenance or sustaining of anything without suffering it to fail, decline or languish. Daniel Webster's Dictionary (1828). [Emphasis added]*

Maintain, v.t. [L. manus and teneo.] 1. To hold, preserve or keep in any state or condition; to support; to sustain; not suffer to fail or decline. Daniel Webster's Dictionary (1828).

I hereby give you ten (10) days to reply to this notice from the above date with a notice sent using recorded post and signed under full commercial liability and penalties of perjury, assuring and promising me that all of the replies and details given to the above requests are true and without deception, fraud or mischief. Your said failure to provide the aforementioned documentation within ten (10) days, from the above date, to validate the debt, will constitute your agreement to the following terms:

That the obligation/debt did not exist in the first place; or It has already been paid in full; and That any damages suffer, you will be held culpable; That any negative remarks made to a credit reference agency will be removed; You will no longer pursue this matter any further. You agree to pay all fee schedules.

Please Note: I wish to deal with this matter in writing and I do not give your organization permission to contact me by telephone. Should you do so, I must warn you that the calls could constitute 'harassment' and I may take action under Section 1 of the Protection from Harassment Act 1997 and the Administration of Justice Act 1970 S.40, which makes it a Criminal Offence for a creditor or a creditor's agent to make demands (for money), which are aimed at causing 'alarm, distress or humiliation', because of their frequency or manner.

STATEMENT OF FACTS

For the record we wish to effect payment immediately. What is the sum certain on the penal funds?

Affiant is a foreign national. Affiant is aware and knows that the U.S. bankruptcy is verified in Senate Report No. 93-519 93rd. Congress, 1st Session (1973), Summary of Emergency Power Statues, "Executive Orders 6073, 6102, 6111, and by Executive Order 6260 on March 9th, 1933 under the "Trading with the Enemy Act (Sixty-Fifth Congress, Session 1, Chapters 105, 106, October 6th, 1917, and as further codified at 12 U.S.C.A. 95(a) and (b) as amended.

- I conditionally accept all facts in the claim if the respondent can prove authority to make presentments.
- I conditionally accept for value and return for value the presumption I have a duty to show cause for actions upon proof of claim that it is not public policy of the UNITED STATES under HJR-192 *to not pay debts at law but instead to exchange consideration upon a dollar for dollar basis to discharge or offset a liability.*
- I conditionally accept for value and return for value the presumption I have a duty to show cause for my actions with the bank or respondent upon proof of claim that without money of account (*as established under Article One, Sections 10, clause one, of the Organic Constitution of the Untied States of America*) in circulation that the only commercial consideration that exists is each and every person's exemption by way of a prepaid account operated by the United States Secretary of Treasury.

Affiant is aware and knows that a certificate of live birth (certificate of title) is a bond that evidences title held by the **Depository Trust Company (DTC/DTCC)**. The issuer has legal title; you have equitable title up until you partner up to share equitable title with the United States. SS-5 creates the UPPERCASE NAME which is surety for the Vessel. The Vessel is the body and evidenced on the application by length, weight, and footprints. A body manifested into the sea of commerce. The beneficiary is supposed to be Me, Myself, and I. But the Depository Trust Company (DTC/DTCC) is at 55 Water Street New York City and operates both the public and the private side. Under Civil Rico Racketeering Laws 18 U.S.C. 1964 as corporations may have established a pattern of racketeering activity by using mail to collect an unlawful debt. If proven there is a conspiracy to deprive of property without due process is various constitutional injuries under 18 U.S.C.A. 241. *Knowledge and neglect to prevent a United States Constitutional wrong. 31 U.S.C. 5118 (d)2 None can ask for payment in specific coin. 31 U.S.C. 3123, there is no money, so no one can demand payment... the United States will discharge debt dollar for dollar.*

Affiant is aware and knows that legal tender (FEDERAL RESERVE NOTES), are not good and lawful money of the United States. See Rains V. State, State, 226 S.W.18.

Affiant is aware and knows that the Undersigned affiant has been estopped from using and has no access to 'lawful Constitutional Money of exchange' (see U.S. Constitution- Article 1 Section 10) to "pay debts at law", and pursuant to HJR-192, can only discharge fines, fees, debts, and judgements 'dollar for dollar' via commercial paper or upon Affiant's Exemption.

There are no judicial courts in America and there has not been since 1789. Judges do not enforce statutes and codes. Executive Administrators enforce statutes and codes. (FRC V. GE 281 US464 KELLER V. PE 261 US 428, 1 STAT. 138-178.

I HEREBY notice that I am the executor of the Cestui Que Vie Trust of XAIVIAR BROWN AND/OR XAVIER BROWN according to Title 26 sections 303 & 7701, companies, corporations, and associations and trusts are all decedents. This means my all Trade name/UPPERCASE NAME IS A LEGAL ESTATE. My Trade name/ALL UPPERCASE NAME falls into this class. I direct all of the affairs and financial affairs of XAIVIAR BROWN AND/OR XAVIER BROWN.

The following documents are needed to move forward in these matters:

- All tax bond receipts 1099 OID, 1099A, 1099C

The authorization from the INTERNAL REVENUE SERVICE to go forward with the above-mentioned account number [26 U.S.C. 2032A(e)11]; Employee Affidavit [Title 5 U.S.C. 3333]; Registration [Title 22 U.S.C. 611 and 612].

Please provide all of the following information and submit the appropriate forms and paperwork back to me along with an affidavit signed in accordance with 28 U.S.C. 1746 for validation and proof of claim.

I affirm that all statements, facts, and information presented in this affidavit/writ are correct and are presented as evidence for the record. Evidence, exhibit, Information, and facts are placed in evidence in this case, and As I am reserving and retaining all my rights and affirm to the best of my knowledge and belief.

MAY ALL PARTIES BE MINDFUL OF 48 CFR, 48 U.S.C., UNIFORM COMMERCIAL CODES 1-308, 3-402, 3-419 and 3-501.

Affiant is aware and knows that the various and numerous references to case law, legislative history, state and federal statutes/codes, Federal Reserve Bank Publications, Supreme Court decisions, the Uniform Commercial Codes, U.S. Organic Constitutional, and general recognized maxims of Law as cited herein and throughout establish the following:

A) That the U.S. Federal government and the several United States did totally and completely debase the organic Lawful Constitutional Coin of the several States of the Union of the United States.

B) That the Federal Government and the several United States have and continue to breach the express mandates of Article 1 Section 10 of the Federal Constitution regarding the minting and circulation of lawful coin.

C) That the lawful coin (i.e. organic medium of exchange) and the former ability to PAY DEBTS has been replaced with fiat, paper currency, with the limited capacity to only discharge debts.

D) That Congress of the United States did legislate and provide the American People a remedy/means to discharge all debt "dollar for dollar" via HJR-192 due to the declared Bankruptcy of the Corporate United States via the abolishment of Constitutional Coin and Currency.

No Assured value, no liability, errors, nor omissions excepted. All rights reserved and retained without recourse-non-assumpsit.

FURTHER AFFIANT SAITH NOT.

Subscribed and sworn, without prejudice, and with all rights reserved,
(Printed Name: Xaiviar of the family Brown)

Principal, by Special Appearance, proceeding Sui Juris.
Without recourse

Signed: Xaiviar of the family Brown

Date: 9/15/2021

On this 15th day of September, 15, before me, the undersigned, a Notary Public in and for Xaiviar Brown, personally appeared the above-signed, known to me to be the one whose name is signed on this instrument, and has acknowledged to me that s/he has executed the same.

Signed: Benjamin Ryder

Printed Name: Benjamin Ryder

Date: 9-15-2021

Address: 6680 Delmar Blvd.

University City
MO 63130

